IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD

WEDNESDAY, THE SIXTH DAY OF OCTOBER, TWO THOUSAND AND FOUR

: PRESENT:

THE HON'BLE MR. JUSTICE: C.Y. SOMAYAJULU.

CRIMINAL PETITION No. 4395 of 2004

Between:

Lolam Chinna Bhomanna.

.. Petitioner
(Accused in C.C. No. 1144 of 2003 on the file of the XI Metropolitan Magistrate, Secunderabad)

AND

The State of Andhra Pradesh, rep. by its Public Prosecutor,
High Court of A.P., Hyderabad.

.. Respondent
Complainant

COUNSEL FOR PETITIONER : Mr. Gopala Krishna Kalanidi.
COUNSEL FOR RESPONDENT : The Public Prosecutor.

Petition under Section 438 of Cr. P.C. praying the High Court to call for records in respect of C.C. No. 1144 of 2003 pending on the file of Learned XI Metropolitan Magistrate, Secunderabad and consequently to quash the same;

The Court made the following

ORDER:

"After hearing the learned counsel for the petitioner and the learned Additional Public Prosecutor, I find no grounds to quash the proceedings in C.C. no. 1144 of 2003 against the petitioner, since the contention of the petitioner do not fall in any of the categories mentioned by the Supreme Court in 'State of Haryana Vs. Bhajanlal' (AIR 1992 SC 605), which laid down the guidelines for quashing of the complaints and charge-sheets. Therefore, the petition for quashing the C.C. is liable to be dismissed.

However, petitioner shall surrender before the XI Metropolitan Magistrate, Secunderabad, within ten (10) days from today, on such surrender, he shall be enlarged on bail on his executing a bond for Rs. 15,000/- (Rupees fifteen thousand only) with two sureties in a like sum each to the satisfaction of the XI Metropolitan Magistrate, Secunderabad.

The Criminal Petition is disposed of accordingly. "

ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To

1. The XI Metropolitan Magistrate, Secunderabad.
2. Two CCs to Public Prosecutor, High Court of A.P., Hyderabad. **(OUT)**
3. One CC to Mr. Gopala Krishna Kalanidi, Advocate (OPUC)
4. One spare copy.

USR.

HIGH COURT

Usr
Date of drafting: 06-10-2004

CYSJ

DATE: 06-10-2004

BAIL

Crl. P. No. 4395 of 2004

DISPOSING THE CRLP WITH A DIRECTION